UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

JAMES S. GORDON, JR., an individual residing in Benton County, Washington,

Plaintiff,

v.

IMPULSE MARKETING GROUP, INC.,a Nevada Corporation,

Defendant.

IMPULSE MARKETING GROUP, INC.,

Third-Party Plaintiff,

BONNIE GORDON, JAMES S. GORDON, III, JONATHAN GORDON, JAMILA GORDON, ROBERT PRITCHETT and EMILY ABBEY,

Third-Party Defendants.

No. CV-04-5125-FVS

ORDER GRANTING MOTION FOR TELEPHONIC HEARING

The Court, being fully advised, now, therefore,

IT IS HEREBY ORDERED:

1. Pursuant to Federal Rule of Civil Procedure 1, which states that the rules "shall be construed and administered to secure the just, speedy, and inexpensive determination of every action", Defendant's Motion for Telephonic Oral Argument, **Ct. Rec. 77,** is **GRANTED**. The October 12, 2005, hearing on Plaintiff's Motion to

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Dismiss Counterclaims and Third Party Defendants Under FRCP 12(b)(6) or in the Alternative For Summary Judgment Under FRCP 56 or in the Alternative To Dismiss Under FRCP 9(b), Ct. Rec. 40, and Defendant's Motion for Dismissal of Third-Party Defendant Lew Reed, Ct. Rec. 50, will be conducted via telephonic conference with all parties participating by telephone. **Counsel for Defendant Impulse Marketing Group, Inc. shall initiate the call.**

2. The Defendant's Motion to Expedite, **Ct. Rec. 75**, is **GRANTED.**

IT IS SO ORDERED. The District Court Executive is hereby directed to enter this Order and furnish copies to counsel.

DATED this 15th day of September, 2005.

s/ Fred Van Sickle
Fred Van Sickle
United States District Judge